

Notice of Allowability	Application No.	Applicant(s)	
	09/841,974	GOODE, TERRY LEE	
	Examiner	Art Unit	
	Suzanne Lo	2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 10/26/07.
2. ☒ The allowed claim(s) is/are 1, 4-7.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 11/12/04.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 10/26/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

KAMINI SHAH
SUPERVISORY PATENT EXAMINER

ALLOWANCE

1. Claims 1, 4-7 have been presented. The prosecution of the instant application is now before Suzanne Lo.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 10/26/07 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Allowable Subject Matter

3. Claims 1, and 4-7 are allowed over the prior art of record.

Applicants are disclosing an emulator circuit consisting of a programmable logic device for emulating circuit portions, serialized/deserializer for providing data streams to input-output pins, and a cross point switch for routing data streams. This has been disclosed in the prior art of record.

While these elements are individually disclosed in the prior art, the prior art of record does not meet the conditions as suggested in MPEP section 2132, namely:

“The identical invention must be shown in as complete detail as is contained in the ... claim.”
Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1820 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).”

In particular, the prior art of record does not explicitly disclose the specific arrangement of system elements in the same combination as now required by amended independent claim 1 relating to a first programmable logic device configured to emulate a circuit portion with a serializer coupled to the pins, and a cross point switch routing first and second input/output pins including a deserializer configured to receive a data stream, and further in combination with a circuit partitioner synthesizing first and second circuit portions and configurer arranged to configure cross point switch routing. (See:

specification pages 5-8. Fig. 2, for example). Dependent claims 4-7 are deemed allowable as depending either directly or indirectly from independent claim 1.

“Serial Backplane Transceiver”, AMCC: Discloses performing encoding/decoding parallel-to-serial and serial-to-parallel conversions (page 2, S2061 Overview) but fails to disclose a circuit partitioner synthesizing first and second circuit portions and configurer arranged to configure cross point switch routing.

“32 x 32 1.5 GBIT/S Differential Crosspoint Switch, S2025”, AMCC: Discloses configuring cross point switch routing (page 2, Reconfiguration) but fails to disclose a circuit partitioner synthesizing first and second circuit portions.

“Quad Serial Backplane Device, S2004”, AMCC: Discloses circuits connected through a backplane device to a crosspoint switch but fails to disclose a circuit partitioner synthesizing first and second circuit portions and configurer arranged to configure cross point switch routing.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suzanne Lo whose telephone number is (571)272-5876. The examiner can normally be reached on M-F, 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Kamini Shah can be reached on (571)272-2297. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Suzanne Lo
Patent Examiner
Art Unit 2128

/SL/
01/16/08


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SUPERVISORY PATENT EXAMINER